PATENT APPLICATION No.: 10/586,325 ATTORNEY DOCKET: 58982.000040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number

10/586,325

Confirmation No.:

1838

Applicant

: Ulf HOULBERG et al.

Filed

: July 14, 2006

Title

METHOD AND SYSTEM FOR COLORIMETRIC

DETERMINATION OF A CHEMICAL OR PHYSICAL

PROPERTY OF A TURBID MEDIUM

Docket No.

58982.000040

Customer No.

21967

MAIL STOP PCT

Attention: Office of PCT Legal Administration Commissioner for Patents Office of PCT Legal Administration P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION DECISION

Sir:

Applicants respectfully request reconsideration of the Petition Decision mailed on February 19, 2008, rejecting Applicant's Petition Under 37 CFR §1.47(a). In this decision the PCT Legal Examiner indicates that the Item (2) of 37 CFR 1.47(a) has not been satisfied. The Petition Decision notes that the Declaration and supporting documents submitted by Applicants on September 5, 2007 are insufficient because Applicants failed to submit documentary evidence showing that a complete copy of the subject application, including specification, claims and drawings were forwarded and received by the non-signing inventor.

In response, Applicants respectfully submit a copy of a cover letter accompanying a package sent to Mr. Joseph M. Sturino on March 26, 2008. The letter and package were delivered via courier to Mr. Sturino on March 28, 2008 at his last known address in College Station, TX. The cover letter clearly states both in the text and in the listing of enclosures that Mr. Sturino is being provided with full copies of the specification, claims and figures of U.S. Patent Application Serial No. 10/586,325 (the subject application). Applicants also enclose a copy of the confirmation provided by the international courier service which includes the

PATENT APPLICATION No.: 10/586,325 ATTORNEY DOCKET: 10/586,325

signature of the cosignee or agent recipient. This confirmation indicates that a complete copy of the application including specification, claims and drawings were presented to the non-signing inventor.

The PCT Attorney Advisor indicates in the Petition Decision that the remaining requirements of 37 CFR 1.47(a) were completed with the submission of September 5, 2007. Based on the foregoing, Applicants respectfully submit that the Petition Decision is moot and that this application should be transferred to the Technology Group for examination on the merits. It is believed that no fees are necessary as this response is timely. However, in the event that any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

By:

Robin L. Teskin

Registration No. 35,030

Kellie L. Carden

Registration No. 52,696

Hunton & Williams LLP Intellectual Property Department 1900 K Street, N.W. Suite 1200 Washington, DC 20006 (202) 955-1500 (telephone) (202) 778-2201 (facsimile) TES:sab



JOSEPH M STURINO 4403 Spring Branch Court College Station, TX 77845 USA

Via courier

Chr. Hansen Holding A/S

Boge Alle 10-12

P.O. Box 407

DK-2970 Horsholm

Denmark

Phone: +45 45747474

Fax: +45 45748966

Cable: Hansenlab Horsholm www.chr-hansen.com

VAT no.: 28 31 86 77 Bankers: Danske Bank

March 26, 2008 Our ref: KBH

Dear Joe.

We have received the letter from Thomas Halloran, in which it appears that you are interested in cooperation regarding the two patent applications: US serial no 11/663,209, published as US2007248573A (Chimeric phages, our ref: P2085US02) and US serial no 10/586,325 (Colorimetric method, our ref P2011US01, national filing of WO2005/068982A1, text and figures in the US application are identical to the WO publication except for introduced amendments). I enclose full copies (including specification, claims and figures) of both patent applications.

The USPTO has started examination of the chimeric phage application and has asked us to limit the application to a certain group of claims, cf. the office action:

I would like your opinion on which group to elect. Which group (I, II or III) is the most important to patent? Please note that we should file a response ASAP in order to avoid that the application becomes abandoned. Also, please do not hesitate to contact me if you have any comments or questions.

Yours sincerely,

Chr. Hansen Holding A/S IPR & Licensing

-B-Hage

Klaus Bach Hagen European Patent Attorney

Encl: Full copies of WO2005/068982A1 (PCT/DK2005/000027); Preliminary amendments filed in US10/586,325; US2007/0248573A1; and Office Action in US11/663,209.

によう	000172	JO172 4501893004		A	The state of the s				
NAME ROE: 0664	Fਸ਼ਹਮ 36648	ROM (SHIPPER) EPHO 18	EFFICKE		SCHOOL STANK	Totach M Steller	TO (CONSIGNEE)		
course Christian		Hansen Holding	PLOORDEPT.		COVENT	we Joseph K. Sturino	ir ino	FLOORIDEPT.	
Appress Bege Alle	1116 10-12	k k F	· · · · · · · · · · · · · · · · · · ·	e :	4403 8	4403 Spring Branch Court	ranch (Court	
OTY HOERSHOLD	STATE STATE	TECOUNTRY 2970		POST CCD€ CEPY		STATE STATION TE USA	STATE COLUMNY ON TX US		77845 POST CX
FUL DESCRIPTION OF CONTENTS.	CONTENTS:		SHIPMENT		INFORMATION SPECK PROMO	ON			
Important		documents							
# OF PCE.	WEGAR:	C KGS C LOS	DIM ENSIONIS:	×	3 a	Owo Tuss	IS SHIPMENT CONTAIN DA	ğ	nous acces?
COUNTRY OF ORIGIN:		DECLARED YALUE FOR CUSTOMS: U.S. 5	18.5		DECLARED VALUE FOR CARRIAGE: U.S. \$			<u></u>	NELECTED: []
A COMMENT STATES OF THE STATES	S Liber(Ch. 4) territory of Stylen's billion account for Exchange on the Exchange of the Excha	The stitutures to literal Countries 24 Abbrier 11 George inference of its skipment types Ques Terradional Tradies and prove for Countries of Countries of Countries of Countries of Countries of Countries of Countries	Figure agree to Constitution of the Constituti	NTE distribution to the second trade of the access that 190-100 of the second trade of the the second trade of the the second trade of the A Special factories in	HOURD COUNTS & LABELTA & LABELTA, By Instring the suppress of the Characteristics of Characteristics of the suppress of the Characteristics of the Characteristi	Ord Content Sality in Salitations may act a few modify th contents, indust, or defines Continues of These Continues defines Continues de Sality (1994)	MANAGE COOR AND	T COCKDOND. I berily max- control extraors, destruction. I towns the search of the left and depart par stars and it were that does as great of the transport of control of the left beautiful and search of the for the department.	SECONITY EXCENSION. I had be in the second foreign department of the procession of t
print make of shipper or shipper's agent	PER OR SKIPPE	H'S AGENT:	34		PTUNT NAME OF D	F CONSIGNEE OR CONSIGNEE'S AGENT.	COKSIONEE'S	AGENT:	182/8
SAMATURE OF SHIPPER OF	per or sapper's agent	S AGENT.	9		X SIGMATURE & CO	SKOKEE ON C	PROKEE OF CONSIGNEE'S AGENT	AGENT	200
A CANADAM CANADAM CANADAM	A PARTY PROPERTY.			The same	CHECKET THE COLUMN TWO IS NOT THE WAY TO VERY THE WAY TO VERY THE WAY		WALLESTON OF ARRONDATION	THE POST CONTRACTOR	Towns .